



EMPLOYEE POLICY MANUAL

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SECTION 1 - INTRODUCTION

SECTION 1.1 - INTRODUCTION

This manual is written in accordance with the Charter of the City of Springboro, laws of the State of Ohio and the United States. Each section page is dated according to its original effective date and later revision date.

These policies and procedures are not intended to be and do not constitute a contract. This is a policy and procedures guide to inform employees and managers regarding applicable laws, regulations, and policies governing employment with the City of Springboro.

Per City Ordinance O-10-39, the policies adopted within this manual supersede all previous written and unwritten City human resources, administrative and personnel policies. In the event there is a conflict between the subjects expressed in this manual and any other applicable state laws, City ordinances and resolutions, or collective bargaining agreements, the applicable law, ordinance, resolution, or collective bargaining agreement shall prevail. Questions regarding the interpretation and application of these policies should be directed to the Assistant City Manager.

It is each employee's responsibility to be familiar with these regulations and policies. As conditions warrant, these policies may be amended, revised, or deleted by the City Manager. Such revisions, amendments, or deletions will be distributed as appropriate.

SECTION 1.2 – EQUAL EMPLOYMENT OPPORUNITY

The City of Springboro is an Equal Opportunity Employer. As an Equal Opportunity Employer, the City will hire, compensate, promote, demote, transfer, train and terminate in accordance with Federal, State and Local laws and regulations. This commitment includes a mandate to offer equal treatment and services to all citizens, employees and City representatives, and to assure equal employment opportunity without regard to race, color, religion, sex, marital status, age, national origin, ethnic heritage, sexual orientation, military status or the presence or perception of a mental or physical disability which cannot be reasonably accommodated. Personnel decisions will fairly and equitably be based upon an employee's occupational qualifications and job performance.

The City of Springboro fully complies with the requirements of the Americans With Disabilities Act and is committed to equal treatment of individuals with disabilities. Reasonable accommodations will be made for qualified individuals as long as the accommodation does not impose an undue hardship on City finances or operations. The City Manager, Assistant City Manager or Department Head will consider requests for accommodation of disabilities and will determine what, if any, accommodation will be made.

It is the policy of this City that employees engaging in discriminatory actions will be disciplined. Such disciplinary action may include discharge from employment.

The City also believes in Affirmative Action, meaning the City actively works to achieve equal opportunity for all employees and job applicants, and fosters an inclusive employee environment that appreciates diversity in people while achieving common City objectives. The City does collect voluntary EEO information from applicants as a requirement of this EEO and Affirmative Action Policy.

SECTION 1.3 – CLASSIFIED & UNCLASSIFIED EMPLOYMENT

It is the intent of the City to detail the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

Each employee is designated as either Classified or Unclassified from the federal and state wage and hour laws. Classified employees are nonexempt employees and are entitled to overtime pay under the specific provisions of federal and state law. Unclassified employees are exempt employees and are excluded from specific provisions of federal and state wage and hour laws.

The classified service shall include the following:

- (1) Full-time members of the Police Department;
 - (2) Full-time members of the Fire Department at such time only as the Council establishes a paid Fire Department;
 - (3) Full-time hourly workers; and
 - (4) All persons in positions not specifically included in this Charter in the unclassified service.
- (b) The unclassified service shall include only the following:
- (1) The Manager;
 - (2) The Clerk of Council;
 - (3) The directors of departments, and division heads;
 - (4) The Assistant Manager and Assistant to the Manager;
 - (5) The Secretary to the Manager, and of all department heads, agencies, boards and commissions;
 - (6) Any office or position requiring exceptional or professional qualifications;
 - (7) Seasonal and part-time employees;
 - (8) All officials and employees appointed by Council under its Charter authority;
 - (9) Members of boards, commissions and agencies;
 - (10) Mayor's Court personnel.

SECTION 2 – EMPLOYEE SELECTION & APPOINTMENT

SECTION 2.1 – PRE-EMPLOYMENT PHYSICAL / DRUG SCREEN

After successful completion of an interview and/or evaluations, the selected applicant for a position may receive a conditional appointment letter from the Assistant City Manager. He or she may then be scheduled for a post-employment offer (or pre-employment) medical examination depending on the City position, and will be scheduled for a drug test by a City-contracted medical facility. Such examinations help to ensure that selected job applicants are physically able to perform the essential duties of the position, with or without reasonable accommodation. Any individual who fails a drug test or a pre-employment fitness for duty examination shall be advised that they will not be considered for employment in any position. No applicant shall be required to undergo a medical examination or drug test prior to a conditional offer of employment.

SECTION 2.2 – PROBATIONARY PERIOD

Each newly hired or promoted full-time regular employee shall serve a probationary period. Probationary periods are for 6 months. A longer probationary period may be imposed at any time only with the approval of the City Manager.

Supervisors use the probationary period to observe closely and evaluate the employee's performance and aptitude for the job. The supervisor is encouraged to determine and communicate to the employee pertinent information concerning his or her progress in the new position, problems and achievements at that point, and any need for improvement in order to complete the probationary period successfully. Likewise, throughout the probationary period the employee is encouraged to bring problems to the supervisor and discuss any needs or concerns with the goal of enhancing his or her performance. Supervisors recommend retention of those employees who meet acceptable work standards during the probationary period, and the removal of those employees who do not meet acceptable standards. The hiring process is not finalized until the probationary period is successfully completed, and the burden remains on the newly hired employee throughout that period to show that he or she is a suitable candidate for on-going employment.

An employee may be separated for failure to complete the original probationary period successfully at any point prior to the end of the probationary period. Employees serving promotional probationary periods may be reduced to the classification and salary held prior to the promotion, if available, upon failure to complete the promotional probationary period successfully at any point prior to the end of the probationary period. The City Manager shall review each case individually, and evaluate the employee's fitness for the position and quality of work in determining whether the employee has successfully completed probation. Employees serve at will and remain subject to removal at any time during the probationary period, and a probationary removal is not considered a disciplinary action, or subject to the right to appeal.

Reduction for failure to complete a promotional probationary period shall not be considered a disciplinary action, and shall not serve to eliminate the employee for consideration for advancement to other positions. A promotional probationary reduction is not subject to appeal or the disciplinary or complaint procedures of this manual.

The probationary period shall be based on calendar days from the date of appointment. Time on paid or unpaid leaves shall not be counted toward the completion of the probationary period.

SECTION 2.3 – PROMOTION OF EMPLOYEES

A promotion is advancing from one pay range to another higher pay range as the result of filling a vacant position with new and increased responsibilities. Promotion is not from reclassification or adjustment of the same position and not from one step to another within the same range.

Whenever a vacancy occurs, the supervisor and/or department head shall consult with the City Manager as to whether or not the vacant position shall be posted externally. The City Manager shall determine if the position is to be filled only by an internal candidate.

In considering applicants for promotion, the City Manager may consider all relevant factors, including but not limited to an employee's completion of any required probationary period, required training courses; skills; experience; education and training; past performance (including the employee's annual performance evaluation ratings); the employee's ability to perform the duties of the new position, including the ability to adapt to future changes; flexibility; commitment to public service and a demonstrated work ethic; and other job-related qualifications.

Provisional Appointment. An employee may be appointed provisionally to a position for 6 months or a time determined mutually by the City Manager and the employee.

SECTION 2.4 – EMPLOYMENT OF RELATIVES

The City will not employ a relative of a member of Council or the City Manager. For purposes of this section, relative shall be defined as: husband, wife, brother, sister, mother, father, son, daughter, brother-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, cousin, aunt or uncle, legal guardian, grandmother, grandfather, grandchild, or comparable step-relation. For the purposes of this section, half relations are equivalent to full relations and no distinction will be made between adopted and natural children.

Relatives of current City employees are welcome to apply for jobs for which they are qualified, with the assurance that they will be treated in the same manner as all other applicants. Their acceptance or rejection for a position with the City will be based solely on job-related criteria.

A person who is a relative of a current City employee may not be appointed, employed or promoted to a position in any department, if the related employee is, or would be the person's supervisor or would exercise any authority or control over, or otherwise regulate the duties and responsibilities of the person. If current employees become relatives with one another or a related employee changes to a job classification which conflicts with this policy after commencement of employment, the City shall allow a choice as to who will resign.
(Revised 4/13)

SECTION 3 – EMPLOYEE PERFORMANCE & CONDUCT

SECTION 3.1 – GENERAL PERFORMANCE EXPECTATIONS

All employees shall maintain sufficient competency to properly perform the duties of their position. Employees of the City of Springboro shall perform their duties in a manner, which will maintain the highest standards of safety and effectiveness in carrying out the mission, objectives, and functions of the City.

The City of Springboro takes pride in providing courteous and effective service to our Citizens, businesses, and visitors. We depend on all of our employees to maintain this high level of public service. The City welcomes comments – positive or negative – on our performance of these services.

The City's ability to provide courteous and effective public service depends directly on individual employee performance, the ability of division employees to work together, and the divisions cooperating to complete City projects. The City's performance expectations for employees starts with their position descriptions and then other City and division guidance, such as this Personnel Policy Manual. Supervisors and managers are responsible for building on this basic guidance to develop staffs and divisions that are capable of accomplishing the City's services.

SECTION 3.2 – PERFORMANCE EVALUATION

The City will strive to evaluate most employees in a full-time, non-probationary position annually within one month of the anniversary of employment with the City. Seasonal and temporary part-time employees need not be formally evaluated; although such employees may receive incremental pay increases per administrative policy.

Employees generally will be evaluated by his or her immediate supervisor. In the event that an employee receives work assignments from more than one supervisor during an evaluation period, those supervisors should collaborate on the content of the evaluation.

The objective of the performance evaluation is to enable the employee to know what is expected in the job and how he/she measures up to the standards set by the supervisor and to provide an opportunity for the employee to discuss problems that affect his/her work performance. It is also meant for the supervisor to provide an opportunity and a framework for constructive discussion with employees about their job performance and the standards against which they are being measured. It is a chance to provide fresh feedback to the employee on needed improvements that can foster growth and development in the position and document the level of employee performance as a basis for increases, promotions, discipline and other personnel action. It is also an opportunity to praise an employee.

Probationary employees may be dismissed without formal evaluation at any time during the one (1) year probationary period or any mutually agreed upon extension. If the employee's overall performance is satisfactory, the supervisor may, prior to the end of the 6-month probationary period or mutually agreed upon extension, recommend the employee acquire full time status. In no case can the extension of a probationary period exceed 6 months. Prior to the end of the extension period, the department supervisor shall determine whether the employee should be retained in the position with full-time status or dismissed.

Performance Evaluation Process

Step 1: The employee will first complete the self-evaluation portion of the performance evaluation. This self-evaluation process will allow the employee to reflect on his/her own job performance throughout the previous year and to anticipate both positive and constructive comments that might be made by the Supervisor later in the process. This process should create some discussion points during the formal performance evaluation meeting. The employee will then submit the completed self-evaluation form to the supervisor.

Step 2: The supervisor will then meet with the Assistant City Manager or City Manager prior to the formal evaluation with the employee to discuss the employee's self-evaluation and any discussion points that may be necessary. It is during this step that the recommendation of the appropriate merit increase will be determined for the employee. Knowing the appropriate range of potential merit increase, the supervisor should complete the evaluation form, and schedule an appointment to review the evaluation established with the employee.

Step 3: The supervisor will conduct the evaluation interview with the employee. The employee will be given the opportunity to review and comment on his/her evaluation. The

employee will be given a copy of the completed evaluation.

Step 4: The supervisor then forwards the performance evaluation to the City Manager for final approval. The evaluation form is then placed in the personnel file. The finance department (payroll) and the department head of the employee in question will receive a notice of authorization of performance pay increases from the Manager's office. This notice should then be forwarded to the employee as verification of his/her performance pay increase, should one be forthcoming.

The supervisor is responsible for justification of his/her rating of any employee. All employees evaluated under the criteria listed are assumed to be competent employees. The supervisor will consider the employee's general work habits as they apply to the job, the critical nature of certain aspects of the job, and the overall contribution to the City. The supervisor will make written comments to justify the Outstanding or Unacceptable rating given if the supervisor gives a rating of "1" or "5".

The performance evaluation appraisal is critical to the success of the performance evaluation system.

1. The employee should be given several days notice of the time, place and purpose of the interview so he/she will have an opportunity to prepare and will not be caught off-guard.
2. The interview should be held privately and away from noise and distractions.
3. The supervisor should think through the major points to be covered in the interview before the interview begins. Any documentation should be ready to review at the time of the interview.
4. The interviewer should focus on the employee's work performance, not on the personality of the employee. The discussion should be job centered.
5. The objective responses to the evaluation questions should be documented on the evaluation form, as well as the supervisor and employee comments.
6. Ratings on all criteria shall be:
 - 5 = Outstanding
 - 4 = Very Effective
 - 3 = Effective
 - 2 = Needs Improvement
 - 1 = Unacceptable

The pay performance evaluation system will allow for the recommendation of pay increases based upon the following table (for Public Works Staff Only):

The evaluation indicates a rating above 75 points	Up to 2.5% merit increase
The evaluation indicates a rating of 75 points or below:	No merit increase

The pay performance evaluation system will allow for the recommendation of pay increases based upon the following table (for all other City Staff):

The evaluation indicates a rating above 65 points	Up to 2.5% merit increase
The evaluation indicates a rating of 65 points or below:	No merit increase

Any employee who receives an evaluation rating of 1 or lower on any rating criteria is not eligible to receive a merit increase.

Because of the inherent complexities of administering a performance based pay system, there occasionally are situations in which application of the normal provisions of this policy would lead to inequitable treatment for the employee or his/her co-workers. Where individual circumstances warrant, exceptions to this policy may be recommended by the supervisor and with the approval of the City Manager. A record of any such exceptions will be documented in the personnel file of the affected employee(s).

This policy does not guarantee an annual performance based increase in compensation for any employee if it is the determination of City Council that budget constraints do not allow for such increases.

Evaluation forms can be found in Appendix B of this Personnel Manual.

3.3 – EMPLOYEE COMPLAINT PROCESS

The City shall strive to resolve employee differences and disputes promptly. If there are allegations that the City or another employee has violated any term of this manual, such allegations shall be handled in the following manner:

Step 1: The employee shall make the complaint in writing and present it within 6 calendar days but is encouraged to make the complaint immediately to the immediate supervisor, unless the immediate supervisor is implicated in the complaint, in which case the complaint should be reported to the department head. The employee is not required to confront the person who is the alleged source of the wrongdoing. If the immediate supervisor cannot resolve the issue, then it is forwarded on to the department head.

Step 2: If the department head cannot resolve the issue, or is the one implicated in the wrongdoing, then it is forwarded to the City Manager for final resolution. The City Manager will have 7 days, from receipt of the complaint, in which to render a decision on the matter.

SECTION 3.4 – DISCIPLINARY PRINCIPLES

The tenure of every employee in the City shall be during good behavior and efficient service, but any such employee may be removed or disciplined for incompetency, inefficiency, dishonesty, drunkenness, use of mind altering drugs, substance abuse, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of the ordinances of the City or the laws of the State of Ohio or of the United States of America, violations of these Personnel Regulations, any other failure of good behavior or any act of misfeasance, malfeasance, and/or nonfeasance. Nothing in this section shall be construed to limit the right of the City to lay off or separate from the service any officer or employee in the event his or her position is abolished or the employee is laid off as a reduction in the work force.

The City generally practices a policy of progressive discipline to provide employees with notice of deficiencies and opportunities to improve. Progressive disciplinary action shall consist of one or more of the following:

- a) Informal verbal reprimands which do not constitute a part of the employee's record;
- b) Formal written reprimands which become a part of the employee's record;
- c) Suspension from duty without pay;
- d) Suspension from duty with pay;
- e) Reduction in salary;
- f) Discharge.

The above list is not intended to present a required sequence of disciplinary actions. The City may administer any of the above listed disciplinary actions as initial discipline and may skip levels of discipline as appropriate under the particular circumstances of each situation.

The Department Head concerned shall be primarily responsible for the discipline of employees within the department, and may take disciplinary action as provided in (a) and (b) immediately above. Any such disciplinary action taken by a Department Head shall be promptly reported to the Assistant City Manager. Any action as provided in items (c) through (f) above, must be approved in writing by the City Manager prior to it becoming final and enforceable.

The City Manager as appointing authority shall have the ultimate duty to take disciplinary action under all the above labeled items. He or she shall be the final judge of the necessity of discipline up to and including suspension from duty without pay.

SECTION 3.5 – POLITICAL ACTIVITY OF EMPLOYEES

State law prohibits City employees from participating in many forms of political activity. Attendance by City employees at campaign fund raising events and voluntary financial contributions to political candidates or organizations is permitted under this policy. However, employees are not permitted to solicit funds or campaign on behalf of any candidate or for any political purpose. Those actions permitted within this policy shall not occur on City time or on City premises. Employees are prohibited from using their City position to influence others in any election process.

SECTION 3.6 – OUTSIDE EMPLOYMENT

Under no circumstances shall a full-time City employee have other employment which conflicts with the policies, objectives, interests, or operations of the City or their department. Further, no employee shall become indebted to a second employer whose interests might be in conflict with those of the City or his or her department. Employment conflicts, as set forth in the administrative order, are defined as a situation in which a second job impairs the employee's ability to perform the duties of his or her position with the City.

Fulltime employment by the City shall be considered the employee's primary occupation, taking precedence over all other occupations. Outside employment is a concern to the City only if it adversely affects the job performance of the employee's City job. Two types of conflicts which may arise are:

- 1) Time Conflict – Defined as when the working hours required of a “secondary job” directly conflict with the scheduled working hours of the employee's City job; or when the demands of a secondary job prohibit adequate rest, thereby adversely affecting the quantity or quality of the employee's job performance with the City.
- 2) Interest Conflict – Defined as when an employee engages in “outside employment” that tends to compromise his or her judgment, actions, or job performance with the City, or that otherwise creates a conflict of interest under applicable ethics law, or that creates the appearance or perception of a conflict of interest.

All fulltime employees must obtain prior approval, in writing, from the City Manager before any outside employment is undertaken. If the City Manager determines that an employee's outside employment is adversely affecting the employee's job performance or creates a conflict, perceived or otherwise, the City Manager may, in her sole discretion, direct that the employee refrain from such activity. If the outside employment continues, the City Manager may impose appropriate action, up to and including termination.

Employees are not permitted to use City issued uniforms, equipment or vehicles while engaged in outside employment.

SECTION 3.7 – CONFIDENTIALITY

Each City employee holds a position of trust in the matter of access to confidential information. Every employee is expected to recognize the responsibilities entrusted to him or her in preserving the security and confidentiality of this information, and is required to abide by the following policy:

- 1) An employee must not exhibit or divulge the contents of any record to any person, except in the conduct of his or her work assignments, or in accordance with Ohio law and City policies concerning release of information (See Public Records Policy included in this Personnel Manual).
- 2) An employee must not seek to benefit personally, or permit others to benefit personally, from any confidential information that has become available by virtue of his or her work assignment.
- 3) An employee must not knowingly include or cause to be included in any record or report a false, inaccurate, or misleading entry.

Employees are further expected to refrain from participating in any discussion or gossip about a person, or his or her individual circumstances, that might be perceived by others to be information obtained from City records or otherwise in the scope of employment with the City. Discussion of any such information, even if not technically a breach of confidentiality, may create the perception of impropriety, which is to be conscientiously avoided.

SECTION 3.8 – ATTENDANCE & TARDINESS

Except for illness or emergencies, employees not on authorized leave are expected to be at work each scheduled workday. Any employee who is unable to report to work shall inform his or her supervisor at least 30 minutes prior to his or her scheduled starting time, unless circumstances make such reporting impossible.

Any employee who does not report to work as scheduled and fails to notify his or her supervisor of an absence prior to his or her scheduled starting time shall be considered on an unauthorized absence and subject to disciplinary action, up to and including discharge.

An employee who reports to work after his or her scheduled starting time, returns late from lunch, or leaves early without permission will be considered tardy. Any hourly employees who are tardy may be subject to a reduction in pay corresponding to the amount of work time he or she missed, unless the employee provides a written reason for the tardiness, which is acceptable to his or her supervisor. If an employee develops a pattern of tardiness, the employee may be subject to disciplinary action.

SECTION 3.9 – APPEARANCE & UNIFORMS

Employees are expected at all times to present a professional image to the public. In order to project an appropriate public image, employees shall wear proper attire and have an appropriate, well-groomed appearance. At its discretion, the City may allow employees to dress in a more casual fashion than is normally required. Such deviations for normal dress standards shall be at the discretion of the City Manager and shall indicate appropriate standards.

Those employees issued uniforms by the City shall keep the uniforms neat, clean and mended. City issued uniforms may only be worn at work and while an employee is traveling to and/or from work.

SECTION 3.10 – USE OF CITY EQUIPMENT

No employee shall use or permit to be used City equipment or facilities under his or her control for any purpose other than official City use, except as may be designated and determined by the City Manager.

SECTION 3.11 – USE OF CITY VEHICLES

City-owned vehicles are to only be used for City business. Exceptions can be granted by the City Manager as a part of employment agreement or contract. No persons other than City employees are permitted to drive City-owned vehicles.

Employees are required to have a current valid operator's (driver's) license and, when necessary, a CDL license to operate a City-owned vehicle. Loss of a valid license for any reason must be reported immediately to the employee's supervisor. Failure to comply may result in immediate termination of employment. The City may periodically verify that employees currently possess a valid license.

No persons other than City employees are permitted to be passengers in City-owned vehicles, except under the following circumstances:

1. When such persons are official guests of the City and the vehicle is being used for City business purposes.
2. When required for the conduct of City business; or
3. In any other cases when the prior written approval of the City Manager is obtained.

Employees operating City-owned vehicles shall observe all traffic laws and Ordinances. Seat belts must be worn at all times while operating the vehicle (and by those as passengers in the vehicle as permitted above). If an employee is found to be operating a City-owned vehicle without wearing a seat belt, disciplinary action, up to and including termination, may be taken at the discretion of the City Manager.

SECTION 3.12 – EMAIL & INTERNET USAGE

All administrators, employees, independent contractors, and any other users (collectively, “Users”) of the City of Springboro’s computers, email, internet, network, hardware, software, and related technology (“Information Technology”) are required to observe and obey the following Acceptable Use Policy. All questions related to the acceptable use of Information Technology should be directed to the City Manager or authorized designee.

Authorized Use

Only authorized Users are permitted to use Information Technology. Users will receive a log-on ID and password, which are required to use access the City’s Information Technology. No person may use Information Technology unless he or she has received a log-on ID and password or has otherwise received authorization to do so.

Users are responsible for any unauthorized use of their log-on ID and password. Users shall keep their passwords confidential. Users shall not use another User’s log-on ID or password, except for authorized Information Technology personnel providing tech support and troubleshooting.

Prohibited Use

Users are strictly prohibited from engaging in the following conduct:

1. Misrepresenting their identity or affiliation or using another person’s account, log-in ID, or password without authorization.
2. Spreading unsolicited bulk messages.
3. Attempting to exploit the security capabilities of a computer system or network for any purpose without proper authorization.
4. Monitoring network traffic, intercepting, disrupting or altering electronic communication packets.
5. Uploading or downloading of any unauthorized or inappropriate materials, creating or using computer viruses, and/or attempting to harm, physically damage, or destroy equipment, materials, or the data of another User.
6. Connecting and/or using any device or removable media including but not limited to USB flash drives, jump drives, hard drives, CDs/DVDs, memory cards, PDAs, MP3 devices, laptops, printers, gaming devices, netbooks or any device to which data can be transmitted to or from without prior written authorization by authorized personnel.
7. Stealing or copying data to unauthorized external devices.
8. Conducting unauthorized commercial activity for personal gain or profit.

9. Engaging in any form of harassment. The City's policies against sexual and other harassment apply fully to the use of Information Technology. Any violation of those policies is grounds for discipline up to and including termination. This prohibition includes transmitting pornographic material, as well as sexually connotative or profane jokes or stories.
10. Transmitting (including sending, requesting to receive, or forwarding) material that is threatening or harassing and that is based on sex, race, color, national origin, religion, sexual orientation, ancestry, age, or disability, or that is obscene, derogatory, belligerent, threatening, defamatory, intimidating, abusive, or otherwise inappropriate material that (a) is so severe, pervasive, or objectively offensive that an individual is effectively denied equal access to the City's resources and opportunities; or (b) is reasonably expected to create a substantial disruption or interference with the work of the City or the rights of other individuals.
11. Engaging in any illegal activity.
12. Encouraging the use of drugs, alcohol or tobacco or promoting unethical practices of any activity prohibited by law or City policy.
13. Soliciting for religious causes.
14. Soliciting for political opinions, campaigns, or endorsements.
15. Transmitting patently harassing, intimidating, abusive material to or about others.
16. Transmitting lewd, vulgar, profane, indecent or plainly offensive speech.
17. Causing congestion on the network by sending items such as "chain-letters" or "broadcasting" inappropriate messages to large groups.
18. Sending copies of documents in violation of copyright laws.
19. Transmitting or forwarding information to individuals or outside entities not authorized to receive such information.
20. Opening any kind of executable attachment; including but not limited to .vbs, .bat, .com, .msi, .rar, .zip or .exe file without prior authorization from authorized personnel.
21. Unauthorized browsing of the Web to areas unrelated to City business including, but not limited to, sex, illegal drugs, criminal skills, hate speech, gambling, or job search related sites.
22. Downloading any material unrelated to City business including, but not limited to, sex, illegal drugs, criminal skills, hate speech, gambling, or job search related

material.

23. Downloading games, music, movies, and related files to computers, network drives, or other electronic storage devices that are the property of the City.
24. Listening to on-line radio for pleasure.
25. Viewing on-line movies or video unrelated to the business of the City.
26. Downloading any City-related material other than Adobe Acrobat .PDF formatted material to the City computer network system except as approved by authorized personnel.

Any User who unintentionally accesses or downloads illegal, obscene, or otherwise prohibited materials must immediately contact his or her supervisor. Prompt notification is necessary to prevent allegations of intentional misuse.

Personal Use

Although the City's Information Technology is to be used for business purposes, personal use of email and the internet is permitted. Personal use of email and the internet is subject to all of the restrictions contained in this Acceptable Use Policy. Personal use shall not impede Users' ability or the ability of others to efficiently perform and complete City work or adversely impact access to or the use of the internet by others for business purposes. Personal use shall be consistent with any other applicable provisions of this policy and with the decorum of a professional office. Unapproved use of chat rooms and instant messaging is strictly prohibited.

Privacy Policy

1. Users shall have no expectation of privacy in any email, instant message, documents, text message, or other electronic communication sent, received, or stored through the City's Information Technology. Users expressly waive any right of privacy in anything they create, store, send or receive using Information Technology, and Users must not consider these communications to be private or confidential. All emails, instant messages, documents, text messages, and other information that is accessed, stored, created, received, or sent through Information Technology are the property of the City. Use of passwords or other security measures does not diminish the City's right to access materials on its system or create any privacy rights of Users. Authorized City personnel may view files, communications, data, or any other electronic communication at any time for any reason.
2. The City reserves the right to monitor all uses of its Information Technology, including but not limited to, electronic mail, Internet activity, file/scan/copy/print activities, and all User/PC interactions. The City may exercise this right at the sole discretion of the City Manager or authorized designee.
3. The City expects ethical and responsible conduct from all Users in the use of Information Technology. Subject to the City's discretionary right of access, all communications sent

via the City's Information Technology shall be treated as confidential. Users shall be held strictly accountable for any unauthorized disclosure. Therefore, Users must make every effort to secure all Information Technology for which they are responsible. Users shall not attempt to interfere with another User's ability to use Information Technology.

4. Users shall only use Information Technology under their assigned account.

Public Records

1. All electronic communications shall be composed/conducted with the understanding that it is public information. The City expressly reserves the right to monitor, review, audit, intercept, access and/or disclose any communications created, received or sent using the communications systems or computer network. Communications may be disclosed internally or externally by authorized City personnel without any further notice or permission.
2. Emails are considered to be public records, and the public has certain rights to examine public records. If an email falls within the definition of public records as defined in the Ohio Revised Code Section 149.011 (G), City employees shall follow the Ohio Revised Code Section 149.39 regarding retention and disposal.
3. The creator of a public record document is responsible for following the Ohio Revised Code regarding public records retention. If an email does not meet the criteria of the Ohio Revised Code definition of a public record, it may be deleted at any time, unless the record becomes a part of an official record as a result of special circumstances. Examples of records that may be deleted are:
 - a. Personal correspondence such as "Let's do lunch."
 - b. Publications or similar materials received from vendors that are "publicly available" to anyone.
 - c. Unsolicited promotional materials.
4. Emails may be retained electronically provided that they can be reproduced and distributed, if requested. Emails may also be printed and retained as public documents providing the header information is included on the printout.

Discipline

Any violation of this Acceptable Use policy may result in disciplinary action up to and including termination.

SECTION 4 – EMPLOYEE COMPENSATION AND HOURS OF WORK

SECTION 4.1 – SCHEDULED HOURS, OVERTIME & COMPENSATORY TIME

Scheduled Hours - The standard work week for employees, other than as provided in a current collective bargaining agreement, shall be forty (40) hours per week. The normal workday consists of eight hours of work with an unpaid meal period. The meal period will be scheduled to allow the continuous staffing of all functions. City administrative offices generally shall be open daily except Saturday, Sunday, and legal holidays as defined herein. The Police Department shall be open at all times. The City Manager may alter the work schedule to provide a flexible schedule, however, all work schedules shall remain in compliance with current Labor Agreements, Fair Labor Standards Act (FLSA), and other Federal or State laws.

Hours for part-time employees may vary from the normal office hours noted above due to the nature of their duties and will be determined by the appropriate Department Director, however, no part-time employee will regularly work more than the hours approved by the City Manager or designee.

Overtime - Employees covered by the Fair Labor Standards Act are eligible for overtime compensation. If you are authorized to work in excess of your normally scheduled weekly hours, these hours are considered overtime. If you work in a position that is covered by the FLSA, you will receive compensation at a rate of 1 ½ times your normal rate of pay. If your position is exempt from FLSA, you will not receive extra compensation if you work in excess of your normally scheduled weekly hours.

Compensatory Time – The Department Director may permit an employee to accumulate compensatory time in lieu of overtime pay. Compensatory time should be taken during the same work period that the overtime occurred at a straight time calculation. If it is not possible to take compensatory time within the same work period, then the time will be credited to the employee at the rate of one and a half times (1 ½) for each one (1) hour worked.

An employee may accrue a maximum of forty hours (40) of compensatory time annually at any one time. Compensatory time is to be scheduled and utilized in the same manner as vacation and may not be utilized if it would create an overtime situation for another employee. Accrued compensatory time will be paid off at the employee's hourly rate of pay – as of their final pay of the year – in the year in which it occurred, should a balance of time remain.

The City has exempted certain positions under its authority from receiving compensatory time and/or overtime pay for overtime worked (i.e. department directors, administrators, etc.), per the Fair Labor Standards Act (FLSA). (Revised 6/14, 10/15)

SECTION 4.2 – FLEX TIME

The standard work week for employees, other than as provided in a current collective bargaining agreement, shall be forty (40) hours per week. However, the City Manager, through the Department Heads, may allow for the altering of the normal working schedule to include the use of “flex-time” scheduling.

The general parameters of flex-time are as follows:

- (a) No flextime will start until after 7:30 am, and no flextime will extend beyond 5:30 pm.
- (b) Flextime will be scheduled in one of two ways: 7:30am-5:00pm or 8:00am-5:30pm
- (c) No one will be permitted to take a full day off for flextime. Only a half-day will be permitted.

The continuation of flex-time in any department will be predicated on all employee’s effectiveness in continuing to maintain the highest level of customer service to the public.

SECTION 4.3 – PAY PERIOD

The typical pay period for regular full-time employees shall be eighty hours of work and shall be fourteen days in length. The pay period shall begin on a Sunday and end on a Saturday. Employees shall be paid on the second Wednesday following the end of the pay period. Any request for an earlier receipt of a paycheck shall be directed to the Finance Director and approved by the City Manager.

SECTION 4.4 – PAYROLL DEDUCTIONS

Certain deductions are made from an employee's paycheck as required by law, in accordance with employee benefit plans, or as requested by the employee. These deductions are itemized on the employee's pay statement. Deductions include:

- 1) Income Taxes. Federal, State, and City governments require that taxes be withheld from wages. The amount of tax to be withheld is determined from tables furnished the appropriate government offices, according to the amount of salary and number of dependency exemptions. Employees are required to complete withholding tax certificates upon initial employment and to inform the Finance Department of any necessary changes.
- 2) Garnishments. This is a court ordered legal claim against a City employee's wages by a creditor for nonpayment of a debt and must be executed by the Finance Director. Employees are expected to resolve debts through payroll deductions, so that the City does not have to devote additional time and effort to adjust and figure garnishment amounts. Employees may not be disciplined for garnishments when the employee has demonstrated a willingness and effort to resolve his or her financial problems. Repeated garnishments may be cause for disciplinary action.
- 3) Miscellaneous. These deductions may include Medicare, deferred compensation, child support, and other authorized withholding. The employer may refuse to make deductions not required by law, or that are below certain prescribed minimum amounts, or at irregular intervals, or for other cause that the employer deems not in the best interests of the City. All requests for payroll deductions must be arranged through the Finance Department.

**SECTION 4.5 – OHIO PUBLIC EMPLOYEE RETIREMENT SYSTEM (OPERS) &
OHIO POLICE & FIRE PENSION SYSTEM (OP&F)**

The OPERS and OP&F state pension plans are compulsory retirement plans and are administered by independent state agencies. While the City has basic information on the systems, specific questions should be addressed to OPERS at 1-800-222-7377 or visit www.opers.org and to OP&F at 1-888-864-8363 or visit www.op-f.org.

Beginning January 1, 2003, OPERS offers three retirement plans for public employees with less than five (5) years of total service credit as of December 31, 2002, and new employees hired on or after January 1, 2003. Eligible employees have 180 days from when they begin employment to select which retirement plan they want to participate in – this change in plans affects all full-time, part-time, and seasonal employees who work or have worked for the City of Springboro or other Ohio government or educational organizations. OPERS sends information packages to all the eligible employees, and conducts information seminars throughout the year.

Former City employees who do not want to continue their OPERS retirement plan participation may fill out a Pension Plan Refund Application form at the Municipal Building receptionist counter.

In addition to the City share, which is established solely by OPERS and the State of Ohio, the City shall pay to OPERS as a fringe benefit for each employee, the employee's share of OPERS contributions, provided that the employee is within any of the classes of employees established in subsection (c) hereof. The employee share amount "picked up" and paid by the City shall not be included in the gross pay of the employee, and shall be in lieu of any contribution which might otherwise be required by the employee.

- (a) No person subject to the "pick-up" shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it "picked up" by the City or of being excluded from the "pick-up".
- (b) The City shall, in reporting and making remittance to OPERS, report that the public employee's contribution for each person subject to this "pick-up" has been made as provided by the statute.
- (c) The "pick-up" by the City provided by this section shall apply to all persons who are employees of the City and are, or become, contributing members of OPERS, except that the "pick-up" shall not apply to:
 - (1) Employees whose employment is governed, at least in part, by a collective bargaining agreement; or
 - (2) Part-time, temporary or seasonal employees, as determined and designated by the City in its discretion under applicable policy.
- (d) The City's method of payment of salary to employees who are participants in OPERS is hereby modified as described in subsection (e) hereof, in order to provide for an employer pick-up of employee contributions to OPERS.

- (e) The total salary for each employee subject to the pick-up shall be the salary otherwise payable under the City policies. Such total salary of each employee shall be payable by the City in two parts: (i) deferred salary and (ii) cash salary. An employee's deferred salary shall be equal to that percentage of that employee's earnable salary which is required by OPERS to be paid as an employee contribution by that employee, and shall be paid by the City to OPERS on behalf of that employee as a pick-up in accordance with subsection (a) hereof and in lieu of the OPERS employee contribution otherwise payable by that employee. An employee's cash salary shall be equal to that employee's total salary less the amount of the pick-up for that employee, and shall be payable, subject to applicable payroll deductions, to that employee. The City shall compute and remit its employer contributions to OPERS based upon an employee's earnable salary.
- (f) The Finance Director is hereby authorized and directed to implement the provisions of this section to institute the "pick-up" of the statutorily required employee contributions to OPERS for those persons reflected in subsection (b) hereof in an effort to enable, but not guarantee, such persons obtain a preferred result in federal and State tax deferments and other benefits.
- (g) In addition to the City share, the City shall pay to the OP&F Pension Fund as a fringe benefit to each member of the Springboro Police Department Supervisory staff, a portion of the employee's required share of OP&F Pension Fund contributions, provided the employee is within any of the classes of employees established in subsection (h) hereof. The employee share amount "picked-up" and paid by the City shall not be included in the gross pay of the employee, shall be in lieu of any contribution which might otherwise be required by the employee, and shall be set at a rate of 7.45% of the mandatory contribution of 10% required under Section 742.31 of the Ohio Revised Code per Resolution R-04-85, dated December 16, 2004.
- (h) The "pick-up" by the City provided in this subsection shall apply to all Police Division persons who are employees of the City and are, or become, contributing members of OP&F, except that the "pick-up" shall not apply to:
- (1) Supervisory police personnel not approved or designated by the City Manager;
 - (2) Part-time, temporary, seasonal, or special assignment employees, as determined and designated by the City in its discretion under applicable policy; or
 - (3) Employees whose employment is governed by or at least in part by, a collective bargaining agreement.

SECTION 4.6 – WORKERS’ COMPENSATION

Employees are eligible for Workers’ Compensation benefits for injuries or occupational illness arising out of or in the course of his or her employment. In the event of a job related injury or occupational illness, the following guidelines shall apply:

1. If an employee is injured on the job, he or she should complete an Accident Report within 24 hours of an accident, except under extraordinary circumstances. A copy of the Accident Report should be forwarded to the Assistant City Manager immediately.
2. To ensure proper treatment, employees who are injured on the job and require immediate medical attention should be referred to either Kettering Workers’ Care in Franklin or SureCare on West Central Avenue.
3. Employees who miss work as a result of a work related injury shall be responsible for keeping their supervisor apprised of their recovering status and an expected return to work date.
4. Any documents received by the employee related to a work related injury should be forwarded immediately to the Assistant City Manager.

SECTION 5 – EMPLOYEE BENEFITS

SECTION 5.1 – HEALTH, DENTAL, VISION & LIFE INSURANCE

The City presently makes available health, vision and dental care insurance benefits to all full-time employees. Employees participating in the City's health insurance program are required to contribute towards the cost of the monthly premiums through payroll deduction. The amount of the monthly deduction(s) will be determined by the City Manager, unless such amounts are specified in an applicable collective bargaining agreement. Vision and dental insurance benefits are currently offered with no monthly premium cost sharing to the employees. The effective date of coverage under these plans for those who enroll in a timely manner will be the 30th day of employment. Employees choosing not to enroll in the health insurance program are required to complete a waiver form and shall be entitled to compensation equal to \$125 per pay period. (Revised 9/14/11)

Group life insurance and accidental death and dismemberment shall be provided to each full-time employee, in accordance with the terms of the life insurance policy currently in force with the City. The schedule of benefits shall be equivalent to one year's base salary, excluding overtime and bonus income of basic life coverage for each employee. Voluntary life insurance is available to each employee outside of the basic life insurance policy provided by the City.

Employees are required to notify the Finance Department within 30 days of any qualifying event (including, but not limited to: birth of a new child, divorce, adoption, child graduation from college, etc.) that could affect insurance benefits.

SECTION 5.2 – CONTINUATION OF INSURANCE BENEFITS (COBRA)

Under COBRA, employees and their spouses and dependent children have the opportunity for a temporary extension of group health, dental, and/or vision coverage (called “continuation coverage”) at group rates in certain instances where coverage would otherwise end. This notice is intended to inform you, in a summary fashion, of your rights and obligations under the continuation coverage provisions of the law. Each person (employee, spouse, or dependent child) to whom this notice is addressed should take the time to read it carefully.

If you are an employee of the City of Springboro (the “City”) and are covered under the City’s group health, dental, and/or vision plans (called the “plan”), you are a “qualified beneficiary” and have a right to choose continuation coverage if you lose your group coverage because of a reduction in your hours of employment or the termination of your employment (for reasons other than gross misconduct on your part) (both called “qualifying events”).

If you are the spouse of an employee covered by the plan, you are a “qualified beneficiary” and have the right to choose continuation coverage for yourself if you lose group coverage under the plan for any of the following four reasons (“qualifying events”):

1. The death of your spouse;
2. A termination of your spouse’s employment (for reasons other than gross misconduct) or a reduction in your spouse’s hours of employment;
3. A divorce or legal separation from your spouse, if you or your spouse informs the plan in writing about the divorce or separation within 60 days after the official determination; or
4. Your spouse becoming entitled to Medicare.

In the case of a dependent child of an employee covered by the plan, he or she is a “qualified beneficiary” and has the right to continuation coverage if group coverage under the plan is lost for any of the following five reasons (“qualifying events”):

1. The death of an employee parent;
2. The termination of an employee parent’s employment (for reasons other than gross misconduct) or a reduction in an employee parent’s hours of employment with the City;
3. The employee parent’s divorce or legal separation, if the employee, spouse, or child tells the plan about the divorce or separation within 60 days after the official determination;
4. The employee parent becoming entitled to Medicare; or
5. The dependent ceasing to be a “dependent child” under the plan, if the employee, spouse, or child tells the plan about the event within 60 days of when he or she ceases to be eligible.

Separate right to elect

Each employee or family member who is eligible to choose continuation coverage in accordance with the above rules has a separate right to elect that coverage, even if other family members do not elect that coverage. However, an election form filed by one family member will apply to other family members if they do not make separate elections, and only the persons listed on that election form as being covered by continuation coverage will be covered.

Additional dependent children

A child who is born or placed for adoption with a covered former employee during a period of continuation coverage is a “qualified beneficiary” who has the same rights to continuation coverage as a child born to the employee or placed for adoption with the employee before the employee’s qualifying event. Such children can be added for coverage subject to any late enrollment or preexisting condition rules that otherwise apply under the plan.

Your responsibility to notify the plan

Under the law, the employee or a family member has the responsibility to inform the plan representative named at the end of this notice of: (i) a divorce, legal separation, or a child losing dependent status under the plan, or (ii) a determination that an employee, spouse, or dependent child has been determined to be disabled for Social Security purposes. You must provide this notice within 60 days of such an event. Failure to notify the plan representative in a timely manner of the event will result in the loss of the right to elect or extend continuation coverage, as applicable. An employee, spouse, or dependent child who has been determined to be disabled must notify the plan representative within 30 days of a final determination that he or she is no longer disabled. The City has the responsibility to notify the plan representative if the applicable event is the employee’s death, termination of employment or reduction in hours, or Medicare entitlement.

When the plan will provide further notice of COBRA rights

When the plan representative is notified that a divorce, a legal separation, a child losing dependent status under the plan, the employee’s death, the employee’s termination of employment (other than for gross misconduct), or the employee’s reduction in hours has happened, the plan representative will, in turn, notify you that you have the right to choose continuation coverage. Under the law, you have at least 60 days from the date you would lose coverage because of one of the events described above to inform the plan representative that you want continuation coverage. ***If you do not choose continuation coverage, your group health, dental, and/or vision coverage will end.***

Type of continuation coverage available

If you choose health, dental, and/or vision continuation coverage, the plan is required to give you coverage which, as of the time coverage is being provided, is identical to the medical, dental, and/or vision coverage provided at that time under the plan to similarly situated employees or family members.

Events causing continuation coverage to end early

However, despite the above rules, your continuation coverage will be cut short and terminate for any of the following five reasons (whichever occurs first):

1. The City no longer provides group health coverage to any of its employees;
2. A required payment for your continuation coverage is not made on time;
3. You become covered (as an employee, a dependent, or otherwise) under another group health plan which does not contain any exclusion or limitation with respect to any pre-existing condition of yours (except for an exclusion or limitation which does not apply to

- you or is satisfied because of certain federal laws);
4. You become entitled to retirement benefits; or
 5. You extended coverage for up to 29 months due to disability and there is a final determination that you (or the applicable family member who was disabled) are no longer disabled.

Verification of eligibility

The City reserves the right to verify eligibility for continuation coverage from time to time, and to terminate continuation coverage retroactively if it is determined that any person is not eligible or continuation coverage was obtained through a misrepresentation. If continuation coverage is canceled for these reasons, you will be responsible for re-paying any benefits provided for any person for whom you elected continuation coverage but who is not eligible for continuation coverage.

Paying for coverage

You do not have to show that you are insurable to choose continuation coverage. However, under the law, you generally will have to pay the full cost or premium for your continuation coverage including any portion of the cost or premium which is covered by the City for active employees and their families, plus a 2% administrative fee. Certain individuals may be requested to pay 150% of the cost or premium for coverage.)

For more information, or if you have questions, please contact the Assistant City Manager.

SECTION 5.3 – HOLIDAYS

All full-time employees shall receive the following holidays at their regular rate of pay: New Year's Day, Martin Luther King, Jr. Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday following Thanksgiving Day, Christmas Eve Day and Christmas Day.

All full-time regular City employees who are required to work on a designated holiday shall be compensated by eight hours pay at their regular hourly rate in addition to their holiday pay.

SECTION 5.4 – VACATION LEAVE

Vacation leave shall be computed on the basis of a regular work week at the applicable straight time rates. Vacation leave is accrued from the date of regular full-time employment. When an employee does not use all accrued vacation leave, as posted on payroll records, per the schedule below within a calendar year, no more than forty (40) hours of vacation leave shall be carried over into the next year and no more than forty (40) hours shall be paid out to the employee. Any vacation hours carried over into the following year shall be the first vacation hours used in the following year. Any vacation leave earned but not either used as vacation, compensated or carried forward into the next calendar year as permitted by this subsection shall be deemed waived by the employee.

Full-time non-union employees shall be entitled to vacations as follows:

1 to 5 full years	2 weeks
6 to 12 full years	3 weeks
13 to 19 full years	4 weeks
20 full years and up	5 weeks

When employees have previous public service which has not been interrupted for more than six consecutive months, such time in public service shall be considered to be service with the City for the purpose of computing vacation leave. On termination of service, credit for earned vacation shall be allowed.

As of January 1 of each year, each regular full-time nonprobationary employee shall be permitted to take the vacation leave which will be earned as of the anniversary date of employment which will occur during that year. If for any reason the employee is separated from employment before the anniversary date, the employee shall compensate the City for any vacation leave taken in excess of that which was actually earned as of the date of separation. When feasible, the City may obtain such compensation by payroll deduction. (Revised 2/9/2012)

SECTION 5.5 – PERSONAL ABSENCE LEAVE

All non-probationary full-time regular employees shall receive three personal absence days on a calendar year basis. The personal absence day benefit expires on December 31 of each calendar year. Any unused personal absence day balance that is not used by December 31 is a lost benefit. Posting of personal absence days shall appear on the employee's first pay in January each calendar year.

Individuals that are not employed by the City as of January 1 of each calendar year are not afforded personal absence days, unless granted within the employee's offer of employment letter by the City Manager or designee at the time of employment.

SECTION 5.6 – SICK LEAVE

Each regular full-time employee shall be entitled, for each completed eighty hours of service, to sick leave of 4.6 hours with pay. An employee may use sick leave, upon approval of the City Manager or designee, for absences due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees and illness, or injury in the employee's immediate family (spouse, child, mother, father, legal guardian, brother, sister, grandmother, grandfather, grandchild, mother-in-law, father-in-law, daughter-in-law, and son-in-law, or comparable step-relation. For the purposes of this section, half relations are equivalent to full relations.) There shall be no limit on the number of days that can be accumulated. The previously accumulated sick leave of an employee who has been separated from the public service which has not been interrupted for more than six months may be placed to his or her credit upon his or her re-employment in the public service. The City Manager or designee may require the employee to furnish a satisfactory affidavit or other acceptable proof of the nature of the illness causing his or her absence.

Upon retirement, the employee shall be allowed full pay at his or her current rate on twenty-five percent (25%) of the accumulated sick leave days.

Any employee requesting sick leave shall notify his or her supervisor not later than the hour he or she is due to report to work.

Nothing herein shall be construed to require the City Manager or designee to approve use of sick leave by an employee.

SECTION 5.7 – INJURY

Any employee injured on the job, no matter how minor, is required to complete and return to their supervisor, a signed Accident Report Form. It will be the responsibility of the employee and employee's Supervisor to make sure the form has been filled out completely and correctly. Except under extraordinary circumstances, the form should be turned into the Assistant City Manager within 24 hours of the accident. In the event an employee is absent from work as a result of a job related injury (as determined by the Bureau of Workers' Compensation) that employee may use accumulated sick leave during the time of his or her absence. Should the employee so desire, any accumulated vacation may be rescheduled so that the employee may use vacation in lieu of sick leave during the time of the absence.

Except as otherwise provided in a current collective bargaining agreement, if the Bureau of Workers' Compensation deems the injury to be work related and if the Bureau of Workers' Compensation provides payment to the employee for time lost from work as a result of this injury, sick leave utilized by that employee during the time of the absence shall be reinstated. Such reinstatement shall only occur upon receipt by the City of all such compensation received by the employee from the Bureau of Workers Compensation. Employees who have missed work time as the result of a work-related injury shall be required to obtain a release from their attending physician before returning to work.

SECTION 5.8 – FAMILY & MEDICAL LEAVE ACT (FMLA)

The City of Springboro (the “City”) will provide family and medical leaves of absence to eligible employees who are temporarily unable to work due to one or more of the following reasons:

- 1) For the birth of a son or daughter of the employee and to care for the newborn child;
- 2) For placement of a son or daughter with the employee for adoption or foster care.
Newborn or placement leaves are not available beyond 12 months from the date of birth or placement;
- 3) To care for the employee’s spouse, son, daughter, or parent who has a “serious health condition” (as defined by the Department of Labor);
- 4) For the employee’s own serious health condition that makes the employee unable to work at all or makes him unable to perform any one of the essential functions of the employee’s job;
- 5) Due to a “qualifying exigency” (as defined by the Department of Labor) because the eligible employee’s spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation; and
- 6) To care for a “covered servicemember” who has a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the servicemember.

The maximum total amount of time available to an eligible employee for FMLA leave is 12 work weeks during the rolling 12 month period measured forward from the date the employee’s first FMLA leave begins or 26 work weeks to care for a covered servicemember during a single rolling 12 month period.

The City will calculate all FMLA leave using the rolling method. Under this method, the amount of available FMLA leave to the employee will be calculated by determining the amount of leave used by an employee during the 12 months prior to the date the leave is requested and subtracting that number from the maximum amount of leave permitted by the FMLA under the circumstances. The remaining balance is the amount of FMLA leave that the employee is entitled to take at that time.

Eligible Employees

Any employee employed by the City for at least 12 months (need not be consecutive) and with at least 1,250 hours worked during the 12 month period immediately preceding the start date of the leave of absence is eligible for Family and Medical Leave pursuant to this policy.

Except as set forth below, employment periods prior to a break in service of 7 years or more need not be counted in determining whether the employee has been employed by the City for at least 12 months. Employment periods preceding a break in service of more than 7 years must be counted, however, where the break in service is due to the fulfillment of the employee’s National Guard or Reserve military service obligation or the existence of a written agreement confirming the City’s intention to rehire the employee after the break in service.

Under the Uniformed Services Employment and Reemployment Rights Act (“USERRA”),

members of the uniformed services returning to work after military service will receive credit for any months and hours of service he would have been employed but for the period of military service in determining FMLA eligibility.

Notice And Requests For Leave

Where the necessity for a family, medical or servicemember leave is foreseeable, the employee must give notice by requesting leave at least 30 days prior to the onset of the leave. If 30 days' notice is not practicable (e.g., lack of knowledge when leave will start, change in circumstances, medical emergency), the employee must give such notice as soon as practicable. If the employee fails to provide the City at least 30 days' notice of foreseeable leave, the City may require the employee to explain why such notice was not practicable.

Ordinarily, an employee will be required to complete a Request for Leave of Absence Form to request FMLA leave. At a minimum, notice of a request for FMLA leave must make the City aware that the employee needs FMLA-qualifying leave, the anticipated timing and duration of the leave, and the anticipated start date. Employees must also notify their immediate supervisor of the need for leave. The employee must respond to the City's questions designed to determine whether an absence is potentially FMLA-qualifying. Failure to respond to reasonable inquiries may result in the denial of FMLA protection if the City is unable to determine whether the leave is FMLA-qualifying.

Absent extenuating circumstances, an employee will be provided with a "Notice of Eligibility and Rights & Responsibilities" notice within 5 business days after the employee requests FMLA leave or when the City acquires knowledge that an employee's leave may be for an FMLA-qualifying reason. Eligibility is determined (and notice provided) at the start of the first instance of leave for each FMLA-qualifying reason in the applicable 12 month period. If an employee is not eligible for leave, the eligibility notice will list at least 1 reason why he is not eligible.

Certification

For an FMLA Leave requested because of the employee's own "serious health condition" that makes the employee unable to perform 1 or more of the essential functions of the employee's position or because the employee needs to care for the employee's spouse, child, or parent who has a serious health condition, the employee must submit a medical certification (on a provided form) to the City. The City has adopted the Medical Certification Form approved by the Department of Labor, which is attached to this policy. The medical certification, based on reasonable medical certainty, in part, must verify that the employee is unable to work at all or is unable to perform any 1 of the essential functions of the employee's job or position because of a serious health condition or that the employee's parent, spouse, or child is affected by a serious health condition and requires care by the employee.

The employee must provide the medical certification within 15 calendar days after the City's request -- unless it is not practicable to do so despite the employee's diligent, good faith, efforts. Such other medical information as the City requests, and is permitted by law, may be required. In case of foreseeable leave, if an employee fails to provide certification in a timely manner, then the City may deny FMLA coverage until the required certification is provided. In case of

unforeseeable leave, and absent extenuating circumstances, if the employee fails to timely return the certification, the City can deny FMLA protection until a sufficient certification is provided. If the employee never produces the certification, the leave is not FMLA leave. If the employee does not produce the certification after reasonable requests by the City, the City reserves the right to decline to treat the leave as FMLA-qualifying, or the City may designate the leave as FMLA leave consistent with the information the City possesses at the time of determination.

The employee must provide a complete and sufficient certificate to the City. If he does not, the City will notify the employee, in writing, what additional information is necessary to make the certification complete and sufficient. The employee has 7 calendar days to cure the deficiencies – unless not practicable under the circumstances despite the employee’s diligent, good faith efforts. If the deficiencies are not cured in the resubmitted certification, the City may deny the taking of FMLA leave.

Where family care leave or leave for an employee’s serious health condition is foreseeable, based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the City’s operations, subject to approval of the health care provider as to scheduling.

The first time an employee requests Active Duty Leave, the City will require the employee to provide a copy of the covered military member’s active duty order or other documentation issued by the military which indicates the covered military member is on active duty or call to active duty status in support of a contingency operation and the dates of the covered military member’s active duty service. That documentation need only be provided 1 time. If, however, there is a different “qualifying exigency” involving that same covered military member or an active duty (or call to) situation involving a different covered military member, the City will require additional documentation. Employees will be required to complete a “Certification of Qualifying Exigency For Military Family Leave” form.

When leave is taken to care for a covered servicemember with a serious injury or illness, the City will require a certification (on a provided form) to support the need for leave. The certification may be completed by any one of the designated health care providers listed on the provided form. The City also will accept (instead of the provided certification form) as sufficient, “invitational travel orders” (ITO’s) or “invitational travel authorizations” (ITA’s) issued to any family member to join a seriously injured or ill covered servicemember at the servicemember’s bedside. The City may require confirmation of the covered family relationship to the covered servicemember.

Authentication/Recertification

Consistent with the provisions of the FMLA, the City may request that the employee recertify the FMLA qualifying conditions. The City may request recertification in situations where: (a) the employee requests an extension of the FMLA leave; (b) there is a change in the employee’s circumstances; or (c) the City receives information that casts doubt on the employee’s stated reason for the absence or the continuing validity of the certification. In all situations, the City may request a recertification of a medical condition every 6 months in connection with the employee’s absence, including medical conditions that contain an “indefinite,” “unknown,” or

“lifetime” duration.

During the time that the City is waiting for the employee to return the Medical Certification Form or recertification documentation, the leave will be provisionally designated by the City as FMLA leave. Once the employee has returned the Medical Certification Form or recertification documentation, the City will make a final determination as to whether the leave qualifies as FMLA leave and verbally notify the employee as to FMLA eligibility.

If the City has reason to doubt the validity of a medical certification, it may require the employee to obtain a second medical opinion at the City’s expense. If the opinions of the employee’s and the City’s health care providers differ, the City may require the employee to obtain certification from a third health care provider, again at the City’s expense. There are no second/third opinions for Family (Military) Leave situations.

Benefits During Leave

Employees covered by the City’s group health insurance at the onset of a leave may continue to participate in the plan during the leave on the same terms and conditions that would have applied had no leave been taken. Premiums, co-payments, and any other employee paid expenses for coverage must be paid by the employee on the same terms as if the employee were not on FMLA leave. If the terms and conditions of the health benefit plan are modified for active employees, the same rules will apply to employees on a leave of absence.

An FMLA-qualifying leave means that time spent while on the leave and time previously worked for the City will not be lost in computation of length of service and the benefits dependent thereon. However, time spent during such an unpaid (*i.e.*, not covered by any applicable paid time off) leave will not be credited toward the calculation of any applicable paid days off (sick or vacation). Any applicable paid days off not exhausted during or prior to the start of the leave shall be available to an employee upon the employee’s return from leave. No holiday, bereavement, witness duty or jury duty benefits will be paid if such occur during a leave.

Return To Work

Employees will be restored to the same or equivalent position as the one held when the leave commenced in most instances and in accordance with the law. Employees who fail to return to work may be required to reimburse the City the amount of premiums paid by the City to continue his/her participation in the group health plan, unless the reason for failure to return to work was the continuation, recurrence or onset of a serious health condition of the employee, employee’s spouse, child, or parent, or other circumstances beyond the control of the employee.

Fitness For Duty Certification

An employee who has been on a (non-intermittent/reduced leave) Medical Leave of Absence for the employee’s own serious health condition shall provide to the City’s Human Resources personnel a medical fitness-for-duty certification (at the employee’s cost) that he is able to resume work. That certification also shall specifically address the employee’s ability to perform the essential functions of the employee’s job. Accordingly, the City will provide the employee

with a list of the essential functions of the employee's job along with the Designation Notice. The employee's health care provider must certify the employee can perform the identified essential functions of the employee's job. The City may (following the same procedures for the initial medical certification) contact the employee's health care provider to clarify and/or authenticate the fitnessfor-duty certification. The City cannot require a second or third opinion for a fitnessforduty certification.

The City will provide a fitness-for-duty certification form to the employee. The City will delay reinstatement until that certification is provided. An employee who does not provide this fitness-for-duty certification or a new medical certification for a serious health condition at the time the FMLA leave is concluded, is no longer entitled to FMLA reinstatement.

If an employee is taking intermittent or reduced leave, the City will require a fitnessforduty certification up to once every 30 days (assuming there were FMLA absences during that period) if "reasonable safety concerns" exist regarding the employee's ability to perform the employee's duties – based on the employee's serious health condition. The Designation Notice contains this requirement.

Intermittent Or Reduced Schedule Leaves

To qualify for intermittent or reduced schedule leave, the leave must be medically necessary (as compared to voluntary treatment) and must be best accommodated through an intermittent or reduced schedule. When medically necessary, requests for intermittent or reduced schedule leave for family care, care for a covered servicemember, or an employee's serious health condition may be granted to eligible employees for up to the equivalent of 12 work weeks (or 26 work weeks, if applicable) of leave for any rolling 12 month period. Exempt employees on an intermittent or reduced leave schedule will have their salaries reduced to reflect the hours or days missed due to such leave.

If intermittent or reduced schedule leave is required for planned medical treatment, the employee should consult with Human Resources personnel at the City and make a reasonable effort to schedule the leave, so as not to unduly disrupt the City's operations. When notice is given of the need for leave, the employee may be required to attempt to reschedule the treatment, subject to the availability and approval of the health care provider. In addition, where the leave is foreseeable based on planned medical treatment, an employee may be temporarily assigned to an available alternative position with equivalent pay and benefits that better accommodates the employee's intermittent or reduced leave schedule.

Family Leave after the birth or placement (adoption/foster care) of a healthy child must be taken in a single, continuous period of time, unless the City and the employee agree to an intermittent or reduced schedule. An intermittent or reduced schedule must be approved in advance of the leave by the City, in its sole discretion. The City's agreement, however, is not required for requested medical leave due to the mother's or newborn child's serious health condition.

Applicability Of Other Paid Leave Benefits

Employees with accrued but unused “paid time off” benefits must use such benefits before taking unpaid leaves of absence which qualify under FMLA. However, it is important to remember that accrued “paid time off” benefits may only be used for FMLA purposes where the City’s policies permit their usage. For example, if the employee requests leave and the purpose for the leave qualifies under the City’s “paid time off” policy, the employee will be required to exhaust all available “paid time off” benefits followed by unpaid leave if necessary. If, on the other hand, the employee requests FMLA leave but the City’s policies do not permit the use of paid leave for the specific purpose, the employee may not use paid leave and will be required to use unpaid leave for the absence. If an employee is required to use unpaid leave for absence(s), the employee’s pay will be reduced at a per diem rate (equal to the number of days or hours absent) in the employee’s paycheck immediately or soon after the absence(s).

FMLA leave will be designated concurrently with any paid leave used by the employee. This policy also applies to workers’ compensation absences. Accordingly, if applicable, FMLA leave will be designated concurrently with any workers’ compensation leave of absence.

Additionally, if an employee requests and is permitted to use accrued compensatory time to receive pay for time taken off for a FMLA reason, or if the City requires such use pursuant to the Fair Labor Standards Act, the time taken may be counted against the employee’s FMLA entitlement.

Married Employees

An employee’s entitlement to a Family Leave for the birth or placement (adoption/foster care) of a son or daughter ends 12 months after the date of the birth or placement. The maximum total amount of time available to both employee spouses for a Family Leave for the birth, care after birth, or placement of a child or care after placement, or for the care of the employee’s parent (not parent-in-law) with a serious health condition is a combined 12 work weeks during the 12-month period as defined above, if both are employed by the City.

The aggregate number of work weeks of leave to which a husband and wife may be entitled for covered servicemember leave is limited to 26 work weeks during the single 12 month period if the leave is for covered servicemember leave or a combination of covered servicemember leave and any other FMLA-qualifying leave. If the leave taken by the husband and wife includes leave for the birth or placement of a son or daughter or to take care of a parent (as described above), that particular type of leave is limited to a combined 12 work weeks.

Purpose Of Policy

It is the purpose of this FMLA Policy to comply with the Family and Medical Leave Act of 1993, as amended. The interpretation of terms and the resolution of disputes under this provision shall be governed by that law. The City’s obligations under this policy do not exceed those set forth in the Act, unless this policy specifically states that it does. The City retains the ability to assert all rights, exemptions, limitations, and calculation methods in the FMLA. Enforcement procedures include complaints to the Wage and Hour Division of the Department of Labor and civil actions in court. It is unlawful to discriminate against an employee because of the exercise of rights under the Family and Medical Leave Act.

SECTION 5.9 – BEREAVEMENT LEAVE

Except as otherwise provided in a current collective bargaining agreement, upon the death of an immediate family member or a relative living in the same household, full-time and permanent part-time employees may be granted up to three (3) consecutive days of paid leave for bereavement purposes. Immediate family shall be defined as spouse, parent, child, sibling, step-child, step-parent, grandparent, grandchild, and parent-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law. One day's leave shall be granted for the attendance at the funeral or memorial service of any aunt or uncle who is a blood relative of the employee. Requests for such leave for individuals not defined above shall be made to the City Manager. The City Manager shall review such request and approve or disapprove on an individual basis based on the circumstances in each instance.

Sick leave may be taken if an employee wishes to attend a funeral of someone other than an immediate family member.

SECTION 5.10 – LEAVE WITHOUT PAY

Any leave without pay request must be approved by the City Manager, upon recommendation of the supervisor and Assistant City Manager. Approval shall indicate the terms and conditions under which the leave may be granted or cancelled.

An employee in need of leave without pay shall submit a written request to his or her supervisor at least thirty (30) days in advance, unless circumstances make such advance notification impossible or impractical. The request shall specify the reasons for the leave.

Employees who are granted leave without pay shall not accrue vacation and sick leave benefits and shall be required to pay all health insurance premiums during the leave.

SECTION 5.11 – COURT LEAVE/ JURY DUTY

An employee called for Court Leave / Jury Duty shall receive his or her regular rate of pay for the time period during which he or she serves on the jury. The employee shall be entitled to keep jury duty compensation free and clear of any claims of the City. The employee is required to keep his or her supervisor notified of the period of time the employee will be off for court time / jury duty.

SECTION 5.12 – MILITARY LEAVE

Short Term Military Leave

Short Term Military Leave shall be defined as Military Leave for previously scheduled training, monthly drills, summer field training, civil disorders, or activations less than ninety days in duration during any calendar year.

- 1) An employee who is a member of the Armed Services, Ohio National Guard, Defense Corps, Naval Militia, and all U.S. Armed Forces reserve components is authorized up to twenty-two (22) eight (8) hour working days (or 176 hours) of Short Term Military leave per calendar year for training purposes.
- 2) An employee called to begin active service in the uniformed services pursuant to an Order by the President of the United States, an Act of Congress or because of an order to perform duty issued by the governor pursuant to section 5919.29 of the Ohio Revised Code is entitled to a Short Term Military Leave of no more than 90 days per each calendar year.
- 3) An employee taking Short Term Military Leave shall receive the difference between his/her military wage or salary and his/her regular City pay for the period of military duty upon presentation to the Finance Director of satisfactory evidence of military pay. However, if the employee's military pay is greater than his regular City pay, then the employee will not be paid any portion of his City pay.
- 4) During Short Term military Leave, an employee shall be considered to be on a leave of absence without separating the employee from their public service position. The City shall continue to provide group medical insurance and group life insurance coverage during the employee's Short Term Military Leave.
- 5) Any employee whose employment is governed by a collective bargaining agreement with a provision for the performance of service in the uniformed services shall abide by the terms of that collective bargaining agreement.

Extended Military Leave

Extended Military Leave shall be defined as a military leave of any kind that is in excess of ninety (90) calendar days but less than one year.

- 1) An employee who enters the military service by draft or enlistment or by an Order by the President of the United States, an Act of Congress or because of an order to perform duty issued by the governor pursuant to Ohio R.C. 5919.29 that is in excess of 90 calendar days but less than one year shall be granted an Extended Military Leave of absence with or without pay for that purpose, at the sole discretion of the City Manager.
- 2) An employee provided Extended Military Leave will be provided a continuation of their group medical insurance coverage for a period of one year from the first effective day of the military leave.
- 3) Employees on Extended Military Leave for a period of time which exceeds one calendar year are considered to be separated from their employment with the City after one calendar year from the first effective day of the military leave.

Reemployment After Separation Due to Exhaustion of Extended Military Leave. The City shall comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994, 38 USCA 4301 et seq., as amended. If reemployment is obtained, the employee shall not be credited with sick leave, personal leave and vacation accrual while they

were separated from service.

Only full time, permanent, non-probationary employees are eligible for consideration of military leave.

SECTION 6 – ANCILLARY EMPLOYEE PROGRAMS & POLICIES

SECTION 6.1 – TRAVEL & TRAINING POLICY

These regulations establish a standard procedure for employees, and elected and appointed officials of the City of Springboro for travel expenses incurred while on City business, or for attendance at conferences, conventions or training programs deemed by the City Manager to have an educational or other municipal purpose.

Please note that City travel requires the use of a City issued credit card for all travel unless the traveler elects to use the General Services Administration (GSA) Per Diem rate for the destination and abide by the Per Diem option and criteria set forth here.

(A) Authorization.

(1) All individuals requesting overnight travel must submit the following to the Finance Department at least 15 days before the event, unless this requirement is waived by the City Manager:

A. Completed Travel Request and Expense Report Form.

1. Employee travel requires the signatures of the employee requesting travel, the department head and the City Manager.

2. City Manager and Council member travel requires the signatures of the individual requesting the travel and three (3) Council members.

B. A completed Purchase Order(s) supporting the Travel Request and Expense Report Form.

(2) The Finance Director will certify fund availability on the Travel Request and Expense Report Form and Purchase Order(s) and will forward forms to the City Manager for final approval.

(B) Expense Report and Reimbursement.

Expenses. After returning from a trip, an individual must complete the original Travel Request and Expense Report Form by listing actual expenses. The Department Director shall approve and forward the report to the Finance Department. Finance shall then forward to the office of the City Manager for approval. A city credit card or per diem option as described in this policy must be used for travel related expenses.

(1) The Travel Request and Expense Form must be completed as indicated showing Estimated and Actual expenses. If the Per Diem option is chosen in Section #5 of the Travel Request and Expense Form, Section #7 still requires completion for lodging; transportation; registration fees and Sundry expenses.

(2) Reimbursement for any personal credit card or cash expenses incurred by an employee, elected, or appointed official is permissible and acceptable when and if a City credit card is not accepted or available. Detailed receipts for all City credit card, personal credit card and / or cash expenses are required. The City Manager may deny reimbursement to employees

for the use of a personal credit card and / or cash if the use is deemed unnecessary or unacceptable.

Reimbursements for personal credit card and / or cash expenses will be processed, in accordance with Finance Department procedures, after receipt of an approved Travel Request and Expense Report Form and proper detailed receipts.

- (3) Receipts are not required for reimbursement for mileage for use of a personal vehicle and/ or for expenses under the per diem option for meals, gratuities, and sundry expenses.
- (4) The Travel Request and Expense Report Form shall be submitted to the Department Director and forwarded to Finance within ten (10) working days of the return date as stated on the Travel Request and Expense Report Form.

(C) Use of Personal Vehicles for Travel.

- (1) When an employee's or an elected or appointed official's personal vehicle is used for City business, in and out of the City, the employee's personal auto insurance applies. Employees may not use personal vehicles on City business unless their personal insurance is valid and effective.
- (2) Individuals shall be reimbursed for actual miles while on City business, at the approved IRS rate for cents per mile, when using their personal vehicle. In the case of individuals with a City car allowance, the City will reimburse for actual miles above and beyond 100 miles for each individual roundtrip based on an average of 20 (twenty) miles per gallon. Mileage reimbursement shall not exceed the cost of a roundtrip coach airfare to the prescribed destination as posted by the airline and approved on the Travel Request and Expense Report Form by signature of the Department Director.

(D) Use of Rental Cars.

- (1) When an employee or an elected or appointed official rents a car for City business, the employee must obtain temporary liability and property damage insurance for that car from the rental company. This temporary insurance is fully reimbursable as a rental car expense.

(E) Per Diem Option.

- (1) Employees traveling on City business may travel on a per diem option basis. The per diem will be based on the rate approved by the General Services Administration (GSA) for that location. Tips and gratuities for meals are included as part of the per diem allowance and will not be considered separately. Per diem allowance will include the full day of departure and the full day of return.

The following expenses are allowable travel expenses:

- (1) Lodging. Expenses covering actual cost of a room when an individual travels outside of the City.
- (2) Air Travel. Coach fare is required to and from an event destination with additional destinations or side trips added to the fare at the cost of the employee, appointee, or elected official; the difference to be paid to the City as part of the approval process and in advance of the departure date.
- (3) Meals. Employees, appointed and elected officials traveling on behalf of the City of Springboro shall be permitted a reasonable number of meals per day. All meals will be expensed at full cost when using a City credit card, approved personal credit card expense, or approved cash expense with gratuities permitted with the submittal of detailed receipts. This does not apply to those using the per diem option for travel. Any gratuity considered unreasonable and / or unacceptable shall be subject to City Manager review and approval. Gratuities shall be limited to 20% of the purchased meal amount. If an additional gratuity is added to the invoice by the establishment and appears on the invoice as such the gratuity shall be for that amount and shall be approved.
- (4) Entertainment. The City shall allow entertainment expenses for elected and appointed officials under certain circumstances; however, not employees.
- (5) Registration Fees.
- (6) Rental Car (and insurance).
- (7) Taxi fees including gratuity.
- (8) Parking fees and tolls.
- (9) Laundry and dry cleaning for travel of 5 or more days.
- (10) Hotel / lodging Internet access fees.

The following expenses are NOT allowable travel expenses:

- (1) Alcoholic beverages.
- (2) Laundry and dry cleaning for travel of less than 5 days.
- (3) Any expenses arising from a spouse traveling with the individual, other than the standard room charge.
- (4) Any allowable cash or personal credit card expense where the individual provides no detailed receipt as documentation or approval for use of such method of payment.
- (5) In-room movies or movie rentals.

Revised 2/13

SECTION 6.2 – TUITION REIMBURSEMENT

It shall be the policy of the City to encourage its employees to further their education in fields related to their job requirements through the institution of a Tuition Reimbursement Program. The City Manager shall promulgate such rules as may be necessary to effectuate this policy.

- (a) Any regular, full-time employee who has been employed by the City at least twelve months is eligible to participate in this program.
- (b) Any employee desiring to receive such reimbursement shall receive approval from their Department Director and the City Manager or designee prior to enrolling in the courses.
- (c) The payment of tuition reimbursement shall be subject to the following guidelines:
 - (1) The course or courses shall be taken from an accredited or approved college, university, secondary school, technical institute, business institute or trade school;
 - (2) The course or courses shall be directly related to the employee's current position or a promotional position for which the employee is eligible, or shall be part of a degree program related to the employee's current position or a promotional position;
 - (3) The City shall pay up to three thousand dollars (\$3,000) in tuition and fees as reimbursement for any course in which a grade of "C" or above is attained, within a calendar year.
 - (4) The employee shall receive the appropriate amount of reimbursement following the submission of proper documentation attesting to the satisfactory completion of the course. No reimbursement for tuition and/or fees shall be granted for any class completed after termination of employment for any reason. (Revised 2/9/12)

SECTION 6.3 – SAFETY & HEALTH

Employee safety and health are primary City concerns shared by both supervisory and non-supervisory personnel. All employees are required by ORC 4101:17 to comply with the Ohio Public Employment Risk Reduction Program (PERRP), which uses OSHA safety standards and rules for workplace risk management. Failure to adhere to these policies and procedures may result in disciplinary action up to and including termination.

The City has created a Safety Committee to ensure the safe working condition of all employees. The Safety Committee is comprised of OSHA/Safety Coordinators whose task it is to ensure safe working conditions for all City employees based on OSHA rules and regulations.

- (a) All employees are responsible (1) for the safe operation of equipment and vehicles, (2) to ensure that the City's work places are safe, (3) to correct unsafe work conditions or practices, (4) to properly use prescribed safety equipment, and (5) to enforce safety rules and regulations. If an employee feels that he/she does not have proper training on a piece of equipment or vehicle, that employee shall indicate as such to their supervisor immediately.

- (b) All employees shall report the existence of any hazardous condition or unsafe work practice observed in the workplace to their supervisor or a member of the Safety Committee immediately.

SECTION 6.4 – DRUG FREE WORKPLACE PROGRAM

The City of Springboro believes that it is very important to provide a safe workplace for all of its employees.

The City is fully committed to this Drug-Free Workplace Program, which establishes clear guidelines for acceptable and unacceptable behavior for everyone in the workplace. The City will not tolerate substance use in violation of this policy and intends to hold everyone responsible for supporting this policy.

This policy describes the City's Drug-Free Workplace Program, and every employee is expected to read and understand it. The consequences stated in this policy will apply to anyone who violates this policy.

Covered Employees

This policy applies to all full-time, part-time, and seasonal employees of the City. Participation in the Alcohol and Drug Testing Program is required for these employees and is considered to be a condition of employment.

Prohibited Conduct

1. No employee shall report for duty or remain on duty while having an alcohol concentration .04 or greater.
2. No employee shall be on duty or operate a motor vehicle while in possession of alcohol or illegal drugs.
3. No employee shall use alcohol while performing their duties.
4. No employee shall use alcohol for eight (8) hours following an accident, or until the employee undergoes a post-accident alcohol test, whichever comes first.
5. No employee shall report to work to perform their duties within four (4) hours after consuming alcohol.
6. No employee shall report for duty or remain on duty when the employee uses any prescription drug, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform their duties. Employees must inform the City when an employee consumes prescription drugs of any kind.

Drug and Alcohol Testing

Employees will be tested for the presence of drugs as follows:

1. Post Offer, Pre-Employment Drug Testing – An applicant or newly hired full-time, permanent employee must be tested for alcohol or drugs prior to reporting for duty. Part-time, seasonal, temporary, and volunteer applicants may be tested at the City Manager or

designee's discretion. Applicants testing positive for drugs or having an alcohol concentration of .02 or greater will not be eligible for employment.

2. Post-Accident Testing – An employee must be tested for alcohol and drugs as soon as practicable, but not more than 32 hours following an accident.
3. Reasonable Suspicion Testing – Reasonable suspicion testing will occur when a supervisor or management has reason to suspect that an employee may be in violation of this Policy. The suspicion will be documented in writing prior to the release of the test findings. A reasonable suspicion test may occur based on:
 - a. Observed behavior, such as direct observation of drug/alcohol use or possession and/or physical symptoms of drug and/or alcohol use;
 - b. Abnormal conduct or erratic behavior;
 - c. Arrest or conviction for a drug-related offense, or identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking. The employee is responsible for notification to the City within five (5) days, of any drug or alcohol related conviction;
4. Follow-up Testing – An employee who has previously tested positive for drugs or alcohol and who has returned to duty, is subject to a minimum of three (3) follow-up alcohol and/or drug tests over the first three (3) months following the return to duty.
5. Any testing as required by federal or state statute, regulation or ordinance.

Refusal to Submit to Drug or Alcohol Testing

1. The City of Springboro policy mandates that an employee submit to alcohol and drug tests as outlined above. A refusal to submit is itself a violation of these rules.
2. A refusal to submit to an alcohol or drug test includes any of the following conduct;
 - a. Failure to provide adequate breath, blood or urine for alcohol testing, without a valid medical explanation, after the employee has received notice of the requirement for alcohol testing; and
 - b. Failure to provide adequate blood or urine for drug testing, without a valid medical explanation, after the employee has received notice of the requirement for drug testing; and
 - c. Engaging in conduct that clearly obstructs the testing process; and
 - d. Failure to remain readily available for testing following an accident.
3. A refusal to take an alcohol or drug test will have the following minimum consequences:
 - a. An applicant who refuses a pre-employment test will not be hired; and

- b. An employee who refuses a return-to-duty test will not be returned to duty; and
- c. An employee who refuses a post-accident, reasonable suspicion, or follow-up test will be treated as if he or she had a positive result, as described in the following:

An employee who refuses to comply with a request for testing, who provides false information in connection with a test, or who attempts to falsify test results through tempering, contamination, adulteration, or substitution, shall be removed from duty immediately and subject to discipline up to and including dismissal. Refusal can include an inability to provide a specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.

Violation of Testing Rules

Employees who violate these Rules on Alcohol and Drugs will:

1. Be removed from all duties and placed on unpaid leave of absence, unless otherwise determined by the City Manager or designee; and
2. Be required to participate satisfactorily in the Employee Assistance Program (EAP) provided for by the City. Failure to participate in the EAP will result in disciplinary action as directed by the City Manager or designee; and
3. Not be returned to work unless the employee passes return-to-duty alcohol or drug test, and has properly followed any rehabilitation program prescribed by the EAP; and
4. Be subject to unannounced follow-up drug and alcohol testing, including a minimum of three (3) tests during the first three (3) months following the employee's return to work. If the employee is found to violate these rules on Alcohol and Drugs for a second instance, the employee will be terminated immediately.

Confidentiality

Laboratory reports or test results of post-employment alcohol or drug screens shall not appear in an employee's general personnel folder. Laboratory reports or test results of pre-employment alcohol or drug screens shall be placed in a sealed envelope in the employee's general personnel folder. The reports or test results may be disclosed to management on a need-to-know basis and to the tested employee upon request.

Employee Requested Confirmation Testing

An employee who questions the results of a required alcohol or drug test may request that an additional test be conducted at a different DHHS – certified laboratory. The test will be conducted on the split sample that was provided at the same time as the original sample. The cost of the second test will be borne by the employee, unless the second test invalidates the first.

The employee's request for a split sample test must be made to the City Manager or designee

within seventy-two (72) hours of notice of the initial test result. Requests after seventy-two (72) hours will be accepted only if the delay was due to documentable facts that were beyond the control of the employee.

Medical Marijuana

Effective September 8, 2016, doctors may prescribe medical marijuana to individuals diagnosed with HIV/AIDS, Alzheimer's, cancer, epilepsy, glaucoma and other specified qualifying medical conditions or diseases.

However, the City maintains a zero-tolerance policy for drug use in the workplace. No employee is permitted to be under the influence of, possess or distribute medical marijuana while on duty, at the workplace or within a City vehicle.

Any employee that is suspected of, or tests positive for, use of medical marijuana while on duty, will be dealt with as specified in section "Violation of Testing Rules", up to and including termination.

Revised 8/16

SECTION 6.5 – SEXUAL HARRASSMENT POLICY

The City of Springboro strictly prohibits sexual harassment of its employees in the workplace, in any form, by any person. Complaints of sexual harassment will be investigated promptly and thoroughly, and if sustained, will be followed by disciplinary action, up to and including termination. Sexual harassment may also result in civil liability for the perpetrator. This policy is not meant to interfere with or discourage friendships among employees, however, employees must be sensitive to acts or conduct that may be considered offensive by others.

Definition of Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature may constitute sexual harassment where:

- (a) Submission to, or tolerance of, such conduct is made whether explicitly or implicitly a term or condition of an employee's job security or advancement; or
- (b) Submission to, or tolerance of, such conduct is used as a basis for employment decisions affecting such person; or
- (c) Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment prohibited by this policy includes not only opposite-sex harassment, but also same-sex harassment. Sexual harassment occurring off City premises, but adversely affecting the workplace is also prohibited.

Examples of Sexual Harassment

Specifically, sexual harassment may include, but is not necessarily limited to the following:

- (a) Repeated flirtation, advances or propositions.
- (b) Intentionally making physical contact.
- (c) Making graphic or suggestive comments about an individual's dress or physical characteristics.
- (d) Using sexually degrading words to describe an individual.
- (e) Causing or permitting the placement of offensive, sexually suggestive objects, pictures, or graphic commentaries in the workplace or making offensive, sexually suggestive or insulting gestures and/or sounds to an employee or in the employee's presence.
- (f) Telling sexually explicit or obscene jokes or making sexually explicit or obscene references.

- (g) Suggesting or demanding sexual involvement, that may or may not be accompanied by express or implied threats concerning the other's employment.
- (h) Unintentionally explicit or seemingly "innocent" sexually suggestive statements regardless of intent.

Reporting Procedures

Any employee who believes he/she is being subjected to sexual harassment should immediately report the alleged incident to their immediate supervisor, unless the immediate supervisor is implicated in the complaint, in which case the complaint should be reported to the department head. The employee is not required to confront the person who is the alleged source of the harassment. The employee is required to bring forward any allegations of unlawful harassment so the City may stop such wrongdoing and prevent future occurrences. If an employee is uncomfortable reporting to those described above, the employee may make a report to the City Manager.

Investigation

The immediate supervisor shall immediately report the complaint to the Assistant City Manager, unless the Assistant City Manager is implicated in the complaint, in which case the complaint shall be reported to the City Manager for investigation. The Assistant City Manager or City Manager (hereinafter "investigator") shall promptly investigate the complaint. (The City can, at its sole discretion, utilize a neutral third-party investigator to address the allegations who may or may not be an employee of the City.) The complaint will be investigated as follows:

Maintaining as much confidentiality as is practical, the investigator shall contact the alleged offender's supervisor (unless the supervisor is the alleged offender) and begin talking to all who may have witnessed the offensive conduct or may have relevant information or documents, preferably without informing the alleged offender. If there is substance to the allegation, the initial investigation may be more productive if information is gathered before the offender is aware an investigation is underway and has an opportunity to intimidate or coerce the complainant, influence potential witnesses or destroy documents.

After conducting initial interviews with witnesses and obtaining any relevant documents, the investigator should then advise the alleged offender of the complaint, even if the allegations have already been disproved. If the problem is a misunderstanding, future incidents can be prevented. In any event, the future course of the investigation will depend on whether the incidents are admitted by the offender, and if so, whether statements of justification or mitigation are offered. If the investigation is continuing, the alleged offender may be warned that any attempt to coerce witnesses or otherwise interfere with the investigation will constitute additional grounds for discipline. It may be appropriate to place the alleged offender on suspension or administrative leave.

Throughout the investigation, a conscious effort must be made to assess the credibility of the information received. In particular, any circumstances which could motivate a witness to give false or biased information should be identified, investigated and documented.

Contemporaneous notes should be taken of each witness interview.

If the allegation is not proven or admitted during steps A or B above, the investigator shall conduct further investigation until a reliable conclusion is reached or it becomes apparent that further investigation is not likely to lead to a reliable conclusion.

If the investigation indicates that a serious incident or a pattern creating a hostile work environment has occurred, the investigator shall prepare a written report identifying all the relevant facts obtained through investigation and stating the investigator's conclusions. Notes from all interviews with witnesses and all relevant documents obtained during the investigation must be both listed in the report and attached to it.

After modification as necessary to create a document which is believed to be concise, complete and accurate, the report shall be presented to the alleged offender. The alleged offender shall be given the opportunity to verbally respond to the report during the meeting.

The complete file generated by the complaint and subsequent investigation, including the alleged offender's submissions, shall be reviewed by the Assistant City Manager, or if the Assistant City Manager is implicated in the complaint, by the City Manager.

If the investigation either exonerates the alleged offender or is inconclusive, the investigator shall hold a conciliation meeting involving both the complainant and the person accused. The purposes of the meeting are (1) to disclose and discuss the results of the investigation, (2) if possible, agree upon measures which the employees might take to prevent recurrences, and (3) inform the parties of any action to be taken by the City to help prevent recurrences.

If the investigation concludes that sexual harassment has occurred, appropriate discipline shall be imposed upon the offender, in view of all the surrounding circumstances and in accord with City policy. If the offender is not being discharged, a conciliation meeting shall also be held as outlined in H above. If the offender is being discharged, the complainant shall be informed of that decision, and no conciliation meeting shall be necessary.

It is recognized that the above investigation procedures may not be completely appropriate under all circumstances, and therefore they should be regarded as a guide rather than ironclad rules.

Non-Retaliation

The City prohibits retaliation made against any employee who lodges a good faith complaint of sexual harassment, or who participates in any related investigation. The City recognizes that making false, bad faith accusations can have serious consequences for those who are wrongly accused. The City prohibits deliberately making false and/or malicious harassment allegations, as well as deliberately providing false information during an investigation. Policy violators are subject to disciplinary action, up to and including termination.

SECTION 6.6 – WORKPLACE VIOLENCE & FIREARMS POLICY

Workplace Violence

Acts or threats of physical or verbal violence (including intimidation and/or harassment and/or coercion) which involve or affect the City of Springboro or its employees or which occur on the City's property will not be tolerated. Such conduct will be met with the strongest legal action by the City, up to and including termination.

Workplace violence includes acts or threats of violence including conduct that is sufficiently severe, offensive, or intimidating to alter the employment conditions or create a hostile, abusive or intimidating work environment for one or more of the employees.

Examples include, but are not limited to, the following:

- (a) All threats or acts of violence occurring on City property, regardless of the relationship between the City and the parties involved in the incident.
- (b) All threats or acts of violence occurring off City property involving someone who is acting in the capacity of a representative of the City.
- (c) All threats or acts of violence occurring off City property involving an employee of the City if the threats or acts affect the legitimate interests of the City.
- (d) Any acts or threats resulting in the conviction of an employee or agent of the City, or of an individual performing volunteer or other services for the City on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the legitimate interests and goals of the City.
- (e) Specific examples of conduct, which may be considered threats or acts of violence, include but are not limited to:
 - (1) Physical assault of an individual (hitting, shoving, kicking, or otherwise having unwelcome physical contact).
 - (2) Threatening harm to individuals, their family, friends, associates, or property.
 - (3) Verbal assault that could intimidate and/or coerce.
 - (4) The intentional destruction or threat of destruction of City or personal property.

Firearms

Firearms of any sort are prohibited in City facilities or in City vehicles. An employee is permitted to keep a firearm in an employee's own personal vehicle in the parking lot, provided the employee has a conceal-carry permit. Any employee who violates the City's Firearms Policy shall be subject to discipline, up to and including discharge.

To ensure the safety and well-being of all employees, citizens and other visitors, the City reserves the right to inspect and/or search, in appropriate circumstances, all areas of the City and all employees' belongings.

Law Enforcement officers are specifically exempt from this policy, pursuant to H.B. 12, passed January 8, 2004.

Any employee who believes these policies are being violated by another employee has an obligation to notify their supervisor immediately.

(Revised 3/21/17)

SECTION 6.7 – EMPLOYEE PERSONNEL FILES

The City shall maintain official personnel files on all employees. Such files shall include, but may not be limited to, individual employment data; payroll information; work time schedules; records of additions or deductions paid; application forms and resumes; evaluations; records pertaining to hiring, promotion, demotion, transfer, layoff, discipline, termination, or other personnel actions; and records of leave usage.

Under current Ohio public records law, the City cannot assure confidentiality of these records, which are considered public records with few exceptions. Employees may be notified when a public request is made to view their records, according to law. All such requests will be made to the Assistant City Manager and coordinated with the Payroll Clerk and/or Finance Director, as appropriate.

Per HIPAA, the City must keep all medical information, such as records of medical examinations, physician's statements, or other information regarding medical conditions of the employee in a separate file, or sealed separately in the personnel file and such medical records do not constitute public records and may not be disclosed except as otherwise provided by law.

An employee shall have a right to reasonable inspection of his or her official personnel file, and may make copies of any document in his or her file.

Employees shall advise immediately, the Assistant City Manager or Payroll Clerk, as appropriate, of any change in name, home and mailing address, marital status, telephone number, number of exemptions claimed for tax purposes, legal authorization to work in the United States, or military status.

SECTION 6.8 – EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Springboro recognizes that employees sometimes must cope with a wide range of problems that can interfere with job performance and productivity. To assist employees in doing so, the City has established an Employee Assistance Program (EAP) to provide employees with professional counseling services to help them deal with personal difficulties.

Employees who need counseling or other help in dealing with personal problems (including but not limited to alcoholism, drug abuse, financial, emotional, mental or family concerns) are encouraged to contact the EAP provider. There are no charges for visits to EAP counselors.

All inquiries to or contacts with EAP personnel are kept strictly confidential by that organization. No specific employee information may be disclosed to the City, except that State Law requires the EAP provider to disclose an employee/client's intention to take someone's life or instances of child abuse.

In some instances, a supervisor may refer an employee to the EAP provider if the employee is experiencing performance or behavior problems that indicate such help may be needed. To the extent a problem is identified, the employee may be required to attend further counseling sessions until such time as the EAP provider releases the employee.

If the EAP provider recommends that specialized care or counseling beyond that available through this program is necessary, coverage for the cost of such extra services may be available through the City's health insurance program.

The EAP provider for the City of Springboro is the Partners for Peace of Mind EAP, located at 20 South Main Street in Springboro – (937) 514-7500.

SECTION 6.9 – PUBLIC RECORDS POLICY

Purpose

The City of Springboro maintains, for public view, many documents and records. In accordance with the state law, and the Records Commission for the City of Springboro, a Schedule of records retention and destruction has been established. The Records Retention Schedule lists all records and the period of time they are maintained. These records are maintained for the operation of City offices and to provide a source of information for the public we serve. It is the primary goal of the City that it serves the citizens of Springboro in a manner of trust. These records, and the ability to have access to them, are a means to provide trust between citizens and the City of Springboro. The underlying purpose of the Springboro Records Release Policy is to provide for full and prompt disclosure of public records and assure that City employees take all reasonable steps to comply with proper requests for public records.

Definitions

“*Public Records*” are documents, devices, or items regardless of physical form or characteristic, including an electronic record as defined in section 1306.01 of the Revised Code, *created or received by or coming under the jurisdiction of the City “... WHICH SERVES TO DOCUMENT THE ORGANIZATION, FUNCTION, POLICIES, DECISIONS, PROCEDURES, OPERATIONS, OR OTHER ACTIVITIES OF THE OFFICE.”* (149.011(G))

Provided However, they shall not include those items specifically excluded from the definition of Public Record under Ohio Revised Code section 149.43(A)(1) as amended from time to time.

Maintaining Public Records

Public Records shall be organized and maintained in a manner which facilitates inspection and shall be retained pursuant the applicable Record Retention Policy established by the City.

Handling Requests

Public Records will be made available for inspection to any person at reasonable times during regular business hours. The regular business hours for the City are from 8 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. All request for Public Records shall be subject to Ohio Revised Code section 149,43(B)(8) (dealing with requests by incarcerated persons).

Requests for Inspection. A request to inspect all public records responsive to an inspection request shall be promptly compiled and made available for inspection by the public office or person responsible for the public records at all reasonable times during regular business hours. The City may require that a City employee be present during the inspection but shall not deny an inspection if no employee is available.

Requests for Copying. Upon request, all public records responsive to a request shall be copied by a City employee and made available within a reasonable amount of time. A department within the City may establish its own policy for what it charges for copies provided the costs (if any) is limited to the cost of copying. Cost of copying is currently \$.05/per page for standard copies. **Any required payment shall be made in advance.**

Requests for Mailing. Upon request, all public records responsive to a request shall be compiled and shall be mailed to the Requestor within a reasonable time, provided the Requestor has provided the necessary mailing information. A department within the City may establish its own policy for charging for postage and copies provided the costs (if any) are limited to the actual cost of postage and cost of copying. **Any required payment shall be made in advance.**

Requests for Video and Audio. Upon request, all public records responsive to a request shall be compiled. Persons requesting copies of audio or video records are required to furnish blank recording tapes or discs, of sufficient quality, to allow reproduction of the requested material.

Requests for Photographs Upon request, all public records responsive to a request shall be compiled. Persons requesting photographs pursuant to this policy shall be charged only the actual cost incurred by the department for the reproduction of these photographs. *Photographs* of police officers, firefighters or EMTs that identifies their occupation shall not be disclosed.

Requests for Electronic Media Upon request, all public records responsive to a request shall be compiled. If any person chooses to obtain a copy of a public record that is in an electronic format, the City may require that person to pay in advance the cost involved in providing the copy of the public record in accordance with the choice made by the person seeking the copy. The Requestor may choose to have the public record duplicated (i) upon paper, (ii) upon the same medium upon which the public office or person responsible for the public record keeps it, or (iii) upon any other medium upon which the City determines that it reasonably can be duplicated as an integral part of the normal operations of the City.

Request Form. *Requests for public records may be written or oral.* If a public records request is made orally and cannot be immediately fulfilled, then the person receiving the request will write down the request on a Request Form and read it back to the Requestor to make sure the request is accurate. If a request is written, the date the request was received shall be indicated on a Request Form and the written request shall be attached to the Request Form. A Request Form need not be completed for standard and customary requests that are fulfilled at the time of the request. Standard and customary oral requests are requests for a specific, readily accessible record which can be immediately fulfilled.

If the party receiving the request does not have the authority to respond to the request, or have custody of the requested documents, he or she shall obtain the necessary information to fulfill the request by completing a Request Form and shall forward the completed Request Form to the Clerk of Council's office for further handling. Receiving a Public Records Request with the City Law Director prior to responding to the request is appropriate. It is the policy of the City that all public records requests be responded to, as appropriate, in a reasonable amount of time given the nature of the request and the circumstances of the request.

If a Requestor makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records such that the employee taking the request and the person responsible for the requested public record cannot reasonably identify what public records are being requested, the employee or the person responsible for the requested public record may

deny the request but shall provide the Requestor with an opportunity to revise the request by informing the Requestor of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.

The City may be liable for statutory damages if it fails to comply in accordance with Ohio law with a written request for records that is delivered to the City by hand delivery or certified mail. The requested records shall be reasonably provided.

Excluding Information

Determining that a requested document or any information contained in a document is not a public record and therefore not subject to disclosure or that a document is exempt from disclosure is a serious action. Accordingly all decisions to deny a public records request or to redact information from a document which is also a denial shall be excused by and signed off on by the appropriate division head or in his or her absence by the City Manager. Consultation with the Law Director is always appropriate.

If a public record contains information that is exempt from the duty to permit public inspection or to copy the public record, the office or the person responsible for the public record shall make available all of the information within the public record that is not exempt.

If it is not clear whether the record is one that can be released, the Requestor should be told that it is not clear if a public record can be released and that the City will allow inspection or provide copies to the extent permissible as soon as legal counsel has had an opportunity to review the request. The employee shall indicate on the request form the nature of the employee's concern. A copy of the Request Form shall then be immediately sent to the Clerk of Council's office for handling.

Redacting information from a public record is considered a denial of a public record. When making a public record available for public inspection or copying that has had information redacted, the City shall notify the Requestor of the redaction or make the redaction plainly visible.

If a request is ultimately denied, in part or in whole, (which includes any redactions) the employee shall complete a Denial Form and shall provide the Requestor with a written explanation, including legal authority, why the request was denied or information redacted. Provided, however, if the denial is a "redaction in the ordinary course" a Denial Form is not required, but the Requestor must still receive the Written Explanation for Denial of Records Request, if the request was in writing. If the request was oral, the Requestor may be told orally why the request was denied. A "redaction in the ordinary course" is a redaction that is always done on a particular class of record such as eliminating social security numbers from a police report.

If a single Requestor makes a single request for multiple records, only one Denial Form and Written Explanation for Denial of Records Request, need be completed for the request but each reason for denial shall be indicated on the forms.

For more information about the City's Public Records Policy, please contact the Clerk of Council.

SECTION 6.10 – EXIT INTERVIEWS

Exit interviews will be conducted with those employees that are voluntarily leaving employment with the City. The appropriate Department Head and/or Supervisor and the Assistant City Manager will interview the exiting employee. Interviews can be conducted face to face or over the telephone. However, if the employee is not comfortable with a face-to-face interview, the individual can fill out a written questionnaire.

Everything stated during the interview will be kept as confidential as possible.

SECTION 6.11 – FRAUD HOTLINE

The Ohio Auditor of State's office maintains a system for the reporting of fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or through the United States mail.

Auditor of State's fraud contact information:

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's office
Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, OH 43215

Web: www.ohioauditor.gov

(Added 6/12/12)